

Remarks

In the office action dated May 8, 2003, the Examiner rejected claims 1-18, 20 and 22 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,903,583 to Ullman et al. (hereinafter Ullman), and claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,091,746 to Le Garrec, et al. (hereinafter Le Garrec). By this amendment, Applicant's representative amends claims 1-5, 10, 14, 15 and 21, and cancels claim 23. Support for the amendment to claims 1, 10, 15, and 20 can be found, for example, in now canceled claim 23, on Fig. 6, and in the specification on page 11, ll.4-10. Claims 2-4, 14 and 21 are amended for consistency. As such, no new matter has been added.

With respect to the Examiner's rejections, the Examiner is invited to consider the following remarks.

Independent claim 1 has been amended to provide a method of cooling a plurality of laser diodes where the laser diodes are electrically connected in parallel. Independent claims 5, 10 and 15 have been amended to provide similar recitations. The prior art of record fails to disclose, teach or suggest cooling a plurality of laser diodes where the laser diodes are electrically connected in parallel. In particular, Ullman discloses all diode laser arrangements of the module are electrically connected in series. (Ullman, col. 10. ll. 34-36). Le Garrec discloses the diode arrays can be supplied electrically independently of one another...in particular [using] a series-type supply where the anode of each array (base) is connected to the cathode of its neighbor. (Le Garrec, col. 4, ll. 41-48).

Regarding the urging that it has been held to be within the general skill of a worker in the art to select a known material/arrangement on the basis of its suitability for the intended use as a matter of obvious design choice, Applicant's representative respectfully notes that *In re Leshin* (125 USPQ 416) only concerns selection of known plastic to make a container of a type made of plastics prior to the invention. (MPEP § 2144.07). Therefore, a *prima facie* case of obviousness has not been established with regard to electrically connecting the laser diodes in parallel.

Regarding the claims which depend from claims 1, 10, 15 or 20, Applicant contends that these claims are patentable for at least the same reasons that claims 1, 10, 15 and 20 are patentable. Moreover, Applicant contends these claims recite further limitations, in addition to the limitations of claims 1, 10, 15 and 20, which render these claims additionally patentable.

Consequently, in view of these remarks, Applicant respectfully contends that the rejection has been fully replied to and traversed, and that the application is in condition for allowance, which allowance is respectfully requested. A check in the amount of \$950 is enclosed to cover the Petition fee of \$950 for a three month extension of time. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978 -- a duplicate of this paper is enclosed for that purpose.

The Examiner is requested to telephone the undersigned to discuss prompt resolution of any remaining issues necessary to place this case in condition for allowance.

Respectfully submitted,

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